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RECORDER  
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JAMES M. JOHNSTONE

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SAN JOAQUIN COUNTY

STATE OF CALIFORNIA

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*exempt*

RECORDED AT THE REQUEST OF  
AND WHEN RECORDED MAIL TO:

STATE OF CALIFORNIA  
STATE LANDS COMMISSION  
100 HOWE AVE., SUITE 100 SOUTH  
SACRAMENTO, CA 95825  
ATTN: LEGAL UNIT  
TELEPHONE: (916) 574-1829

STATE OF CALIFORNIA IS ENTITLED TO  
FREE RECORDATION PURSUANT TO  
GOVERNMENT CODE SECTION 27383

FOR RECORDER'S USE ONLY

## ACCEPTANCE OF RETROCESSION OF LEGISLATIVE JURISDICTION

California Government Code Section 113

**Whereas** the United States acting by and through the Department of the Army has requested that the State of California accept a retrocession of partial legislative jurisdiction and establish concurrent legislative jurisdiction over lands comprising the Defense Distribution Region West, Tracy, California; and

**Whereas** the California State Lands Commission, pursuant to California Government Code Section 113, has been authorized by the California State Legislature to accept such a retrocession and establish concurrent jurisdiction; and

**Whereas** the Executive Officer of the California State Lands Commission has been authorized to execute this instrument;

**NOW, THEREFORE**, I, Robert C. Hight, Executive Officer of the California State Lands Commission hereby certify that the Commissioners for the California State Lands Commission met on May 9, 1996 and accepted a retrocession of partial legislative jurisdiction and established concurrent legislative jurisdiction over certain lands comprising the Defense Distribution Region West, Tracy, California. A copy of the Commission's Calendar Item No. 83(B) is attached hereto as Exhibit "A".

*Robert C. Hight*

ROBERT C. HIGHT, EXECUTIVE OFFICER  
CALIFORNIA STATE LANDS COMMISSION

Date:

*May 15, 1996*

**CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT**State of CaliforniaCounty of SacramentoOn May 15, 1996 before me, Sharon Shaw, Notary Public,  
Date Name and Title of Officer (e.g., "Jane Doe, Notary Public")personally appeared Robert C. Hight,  
Name(s) of Signer(s)

☒ personally known to me – **OR** – ☐ proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/~~she/they~~ executed the same in his/~~her/their~~ authorized capacity(ies), and that by his/~~her/their~~ signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.



WITNESS my hand and official seal.

Sharon Shaw  
Signature of Notary Public

**OPTIONAL**

*Though the information below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent removal and reattachment of this form to another document.*

**Description of Attached Document**

Title or Type of Document: Acceptance of Retrocession of Legislative Jurisdiction - Tracy, CA

Document Date: May 15, 1996 Number of Pages: Six

Signer(s) Other Than Named Above: None

**Capacity(ies) Claimed by Signer(s)**Signer's Name: Robert C. Hight

- ☐ Individual  
☐ Corporate Officer  
 Title(s): \_\_\_\_\_  
☐ Partner — ☐ Limited ☐ General  
☐ Attorney-in-Fact  
☐ Trustee  
☐ Guardian or Conservator  
☒ Other: Executive

Officer

Signer Is Representing:

State Lands Commission

RIGHT THUMBPRINT  
OF SIGNER  
Top of thumb here

Signer's Name: \_\_\_\_\_

- ☐ Individual  
☐ Corporate Officer  
 Title(s): \_\_\_\_\_  
☐ Partner — ☐ Limited ☐ General  
☐ Attorney-in-Fact  
☐ Trustee  
☐ Guardian or Conservator  
☐ Other: \_\_\_\_\_

Signer Is Representing:

RIGHT THUMBPRINT  
OF SIGNER  
Top of thumb here

## Exhibit "A"

## CALENDAR ITEM

83(B)

A 17

05/09/96

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W 25303

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**RETROCESSION OF PARTIAL LEGISLATIVE JURISDICTION AND  
ESTABLISHMENT OF CONCURRENT LEGISLATIVE JURISDICTION AT  
DEFENSE DISTRIBUTION REGION WEST, TRACY, CA**

**PARTY:**

United States of America  
Department of the Army  
110 Army Pentagon  
Washington, D. C. 20310-0110

**BACKGROUND:**

The United States exercises partial jurisdiction over the Defense Distribution Region West, Tracy, San Joaquin County. By letter dated April 9, 1996 the Department of the Army requested that California accept a retrocession of partial legislative jurisdiction over this facility so as to establish concurrent legislative jurisdiction over this facility.

California Government Code Section 113 authorizes the State Lands Commission to accept such a retrocession if the following conditions are met:

1. The United States has in writing requested that the State accept a retrocession of jurisdiction;
2. The State Lands Commission has held a public hearing to determine whether it is in the State's best interests to accept the retrocession; and
3. The United States has agreed to pay for the costs associated with the retrocession process.

The United States has made the written request for the retrocession and has agreed to bear the costs associated with the retrocession. The noticed hearing was held on May 8, 1996. No comments in opposition to the retrocession and establishment of concurrent jurisdiction were received.



CALENDAR ITEM NO. 83(B) (CONT'D)**AB 884:**

N/A

**OTHER PERTINENT INFORMATION:**

Pursuant to the Commission's delegation of authority and the State CEQA Guidelines (14 Cal. Code Regs. 15061), the staff has determined that this activity is exempt from the requirements of the CEQA because this activity is not a "project" as defined by the State CEQA Guidelines.

Authority: Public Resources Code Section 21065 and 14 California Code of Regulations Section 15378.

**EXHIBIT:**

- B1. Land Description
- B2. Form of Retrocession Certificate

**IT IS RECOMMENDED THAT THE COMMISSION:**

1. FIND THAT THE ACTIVITY IS EXEMPT FROM THE REQUIREMENTS OF THE CEQA PURSUANT TO 14 CAL. CODE REGS. 15061 BECAUSE THE ACTIVITY IS NOT A PROJECT AS DEFINED BY PUBLIC RESOURCES CODE SECTION 21065 AND 14 CAL. CODE REGS. 15378.
2. FIND THAT THE U.S. DEPARTMENT OF THE ARMY HAS REQUESTED THAT THE COMMISSION ACCEPT A RETROCESSION OF PARTIAL LEGISLATIVE JURISDICTION AND ESTABLISH CONCURRENT LEGISLATIVE JURISDICTION OVER LANDS COMPRISING THE DEFENSE DISTRIBUTION REGION WEST, TRACY, SAN JOAQUIN COUNTY, CALIFORNIA.
3. FIND THAT THE UNITED STATES HAS AGREED TO PAY FOR THE COSTS OF THE RETROCESSION PROCESS.
4. FIND THAT THE STATUTORY PUBLIC HEARING WAS HELD AS REQUIRED.
5. DETERMINE THAT IT IS IN THE BEST INTERESTS OF THE STATE OF CALIFORNIA TO ACCEPT THE RETROCESSION OF PARTIAL LEGISLATIVE JURISDICTION AND ESTABLISH CONCURRENT LEGISLATIVE JURISDICTION AS REQUESTED BY THE UNITED STATES BECAUSE SUCH AN ACTION WILL ALLOW THE ENFORCEMENT OF THE LAWS OF CALIFORNIA



CALENDAR ITEM NO. 83(B) (CONT'D)

AND ITS POLITICAL SUBDIVISIONS IN THE DEFENSE DISTRIBUTION REGION WEST.

6. ACCEPT THE RETROCESSION OF PARTIAL LEGISLATIVE JURISDICTION AND ESTABLISH CONCURRENT JURISDICTION OVER THE DEFENSE DISTRIBUTION REGION WEST AS DESCRIBED IN EXHIBIT "B1" ATTACHED HERETO.
7. AUTHORIZE THE EXECUTIVE OFFICER TO EXECUTE AN ACCEPTANCE OF RETROCESSION IN SUBSTANTIALLY THE SAME FORM AS FOUND IN EXHIBIT "B2" ATTACHED HERETO.
8. AUTHORIZE THE FILING OF THE RETROCESSION WITH THE CALIFORNIA SECRETARY OF STATE AND THE SAN JOAQUIN COUNTY RECORDER AS REQUIRED BY GOVERNMENT CODE SECTION 113.

## EXHIBIT "B1"

LAND DESCRIPTION  
DEFENSE DISTRIBUTION REGION WEST, TRACY, CALIFORNIA

That portion of Sections 26 and 35, Township 2 South, Range 5 East and Section 2, Township 3 South, Range 5 East, all in the County of San Joaquin, State of California.

Beginning at the Northwest corner of Section 35, Township 2 South, Range 5 East, at a point common to Sections 26, 27, 34, 35, which point is also in the center line of Chrisman Road, a 60 foot laid out road as recorded in the records of the Board of County Supervisors, San Joaquin County, California; thence easterly along the northerly line of said Section 35, 30 feet to a point in the easterly right of way of said road; thence northerly along said right of way line 7 feet more or less to the intersection of said line with the southerly right of way line of the Southern Pacific Railroad, which point lies in Section 26, Township 2 South, Range 5 East; thence south 69 degrees - 15' east along said right of way line 20 feet more or less to a point on the southerly line of said Section 26, said point being approximately at Engineers Station 4181+00 along said railroad measured 50 feet southerly at right angles to center line of track; thence continuing along said right of way line south 69 Degrees 15' east 1430 feet to a point in said line, said point being at right angles of Engineers Station 4194+00 being in Section 35, Township 2 South, Range 5 East; thence on a curve right 2829 feet more or less along right of way line to a point, said point being at right angles of Engineer's Station 4222+30 in center line of said railroad right of way; thence continuing along said railroad right of way line south 41 degrees 05' east 1357 feet to a point at the northerly corner of a tract of land belonging to Western Pacific Railroad Company; thence along the north westerly boundary of said tract south 3 Degrees 55' west 509.1 feet more or less to a point on a 100 foot right of way of Western Pacific Railroad Company; thence south 48 Degrees 38'30" west 2515.0 more or less to the south line of said Section 35; thence continuing along said line and said bearing into Section 2, Township 3 South, Range 5 East, 3322.06 feet more or less to a point in the West line of said Section, said Section Line being the center line of Chrisman Road; thence along said center line and said Section line North 0 Degrees 4'10" east 2214.4 feet more or less to the northwest corner of said Section 2; thence continuing along the line of said road along the west line of Section 35, North 0 Degrees 42' east 5289.45 feet more or less to the point of beginning.

All said land is situated in Township 2 and 3 South, Range 5 East, Mt. Diablo Base and Meridian, County of San Joaquin, State of California.

This description was provided by the United States Army Corps of Engineers.

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\_\_\_\_\_  
ROBERT C. HIGHT, EXECUTIVE OFFICER

Date: \_\_\_\_\_

CALENDAR PAGE

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MINUTE PAGE